



F10-07-MS Law Enforcement Purpose Justifies Collection without Notification

A woman complained that a regulatory agency—a public body under FIPPA—had contacted third parties without her knowledge as part of an investigation it was conducting about her. The agency confirmed to us that it had indeed contacted third parties and collected personal information about the woman without her knowledge or consent.

Section 26 of FIPPA permits a public body to collect personal information if a specific provision in a law authorizes the collection. In this case, the regulatory body's enabling statute contained specific provisions giving the regulatory body the power to collect personal information about individuals without their consent in certain circumstances, which we determined applied in this case.

Furthermore, under section 27(3) of FIPPA, the public body was exempted from the standard obligation to notify the individual whose information was collected because it was investigating a law enforcement matter. The definition of "law enforcement" in FIPPA includes "investigations that lead or could lead to a penalty or sanction being imposed." In this case, the public body's enabling legislation permitted it to issue a broad range of penalties and sanctions. Consequently, we were unable to substantiate the woman's complaint.